

Message from the Haftara

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Women as Halachic Leaders, Then and Now

B'SHALACH

The haftara for Parshat B'shalach begins with a striking description: "And Devora, a prophetess, the wife of Lapidot, was judging Israel at that time" (Sho-f'tim 4:4). For contemporary readers, this verse resonates powerfully. It presents a woman serving in a leadership position of spiritual, legal, and communal authority. At the same time, the verse raises a tension: how does Devora's role align with established halachic, Jewish legal, categories regarding testimony, adjudication and rabbinic authority? Can women like Devora truly function as POSKOT HALACHA, those who answer halachic questions, in a manner comparable to male rabbinic authorities?

This question is especially relevant today amid the increase in women who are indeed experts in Jewish law yet are still banned by Israel's Chief Rabbinate from taking halachic exams.

However, the issue is far from new; it

has occupied the attention of leading Torah scholars for centuries. The Tosafot, 12-14th cent. commentaries on the Talmud, raise the issue of Devora when addressing the legal principle - "all those fit to adjudicate are fit to testify." Although the prophetess seems from our haftara to have served as a judge, according to the principles outlined in the Talmud; if she could not have been fit to testify in a beit din, a religious court, how can she judge religious matters and questions? How can her role be understood in terms of Jewish law?

In their commentaries on Tractate Nida (50a), Tosafot explain that Devora did not function as a judge in practice. Rather, she served as the Torah authority who taught the judges, certified them, and was involved in shaping judicial processes without occupying a formal judicial seat. At the same time, she actively engaged the broader Jewish community in the study, observance of Torah and answering their Jewish legal questions.

This explanation is echoed and expanded upon by later authorities. The Sefer HaChinuch (13th c.) writes that a woman who is accepted by the Jewish community as a Torah scholar may answer halachic questions. Once her expertise is widely recognized, no additional credentials are required for her rulings to carry binding authority.

Similarly, the Pitchei Teshuva – Rabbi Avraham Hirsch Eisenstadt of Bialystok (19th c.) – writes in Choshen Mishpat (7:4) that while a woman cannot serve as a judge, she may rule on halachic matters if she possesses the requisite knowledge and the community recognizes her scholarship. Once again, the prophetess Devora provides the central proof.

In the modern era, this position was articulated with particular clarity by Rabbi Eliyahu Bakshi-Doron, the S'fardic Chief Rabbi of Israel from 1993 to 2003. In his responsum Binyan Av (vol. 1, no. 65), he ruled that a woman may function as a Torah leader, even as one of the gedolei hador (great leaders of the generation), because such stature depends solely upon the scholarly and moral capacity of the Torah authority. Halachic leadership, he argued, is earned through knowledge, integrity and service to the community.

In our generation, we are privileged to encounter women whose learning, commitment and spiritual leadership reflect this tradition. Accordingly, a learned woman may serve the Jewish people by answering halachic questions and issuing rulings, provided her authority is also grounded in communal trust.

This aspect of the haftara has lasting ramifications on our present reality, as the Chief Rabbinate of the State of

Israel, continues to bar women from taking its halachic qualification exams. Certification through these exams is required for many official roles in government institutions, such as chaplains in hospitals and prisons, for which women have been deemed ineligible.

The consequences are not merely theoretical. It is deeply troubling that there are no female chaplains even in Israeli women's prisons, despite the existence of learned, capable and motivated women who could provide inmates with care and guidance.

In the IDF, where women are increasingly serving across nearly every corps, this glass ceiling has only been partially broken. Some women have recently begun to perform as spiritual guides or mentors, but only through intricate legal and bureaucratic work-arounds, as the Rabbinate continues to deny them access to the qualifying examinations.

These “rabbinical exams” are a required credential for filling any number of government and civil service positions that halacha itself does not reserve exclusively for rabbis. To prohibit women from taking them on the grounds that doing so would be tantamount to recognizing women as rabbis is unfair to these Torah scholars and, even more importantly, unfair to the greater Jewish community.

Israel's Supreme Court recently ruled that because women have the ability to serve as poskot halacha, excluding them from the examinations constitutes unjustified discrimination. In spite of this, the Rabbinate has responded by cancelling exam dates, leaving the entire examination process effectively in limbo for now – for deserving women as well as men.

Women must be given the opportunity to take the Chief Rabbinate's exams. This is not a call to blur halachic boundaries or assign prohibited roles. Rather, it is a call to honor Jewish law as it has been articulated by our authorities across generations.

As the opening verse of our haftara teaches, Devora, a woman of profound Torah knowledge, served as a spiritual guide, role model and halachic decisor for the Jewish people.

Today, we are blessed with many such Devoras: learned, pious, and courageous women capable of spiritual and halachic leadership. Enabling them to serve fully is not an act of concession, but an act of fidelity to the Torah, to halacha, and to the needs of the entire world Jewish community. 